

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS,
EASTERN DIVISION**

JOSEPH MUNDY,

Plaintiff,

v.

**YELLOW TRANSPORTATION
COMPANY, INC., SHORT-TERM
DISABILITY PLAN, Designated for
Employees of Yellow Transportation, Inc.;**
**YELLOW TRANSPORTATION
COMPANY, INC. LONG-TERM
DISABILITY PLAN, Designated for
Employees of Yellow Transportation, Inc.;**
**CIGNA CORPORATION, in its capacity as
Administrator of the Plans;**

Defendants.

Case No.: 08 C 1576

Judge Bucklo

Magistrate Judge Valdez

MOTION FOR SUBSTITUTION OF COUNSEL

Defendant, YELLOW ROADWAY CORPORATION LONG-TERM DISABILITY INSURANCE PLAN ("LTD PLAN"), incorrectly sued as "YELLOW TRANSPORTATION COMPANY, INC. LONG-TERM DISABILITY PLAN," moves to withdraw the appearances filed on its behalf by Lisa A. McGarrity and William R. Pokorny of Franczek Sullivan P.C., and substitute the appearances of Daniel K. Ryan and Peter E. Pederson of Hinshaw & Culbertson LLP.

1. In a phone conversation on May 28, 2008, plaintiff's counsel told the undersigned that he would voluntarily amend the complaint to substitute Life Insurance Company of North America ("LINA") in the place of defendant CIGNA Corporation. LINA is an indirect subsidiary of CIGNA Corporation.

2. The LTD Plan tendered the defense of this matter to LINA pursuant to a group insurance policy under which LINA insures long-term disability benefits under the LTD Plan.

3. LINA accepted the LTD Plan's tender.

4. Therefore, the LTD Plan desires to be represented by the undersigned attorneys, Daniel K. Ryan and Peter E. Pederson, who have filed appearances on its behalf and will also appear for LINA once it is substituted as defendant. The LTD Plan desires to withdraw the appearance filed by its original counsel, Lisa A. McGarrity and William R. Pokorny. Lisa A. McGarrity and William R. Pokorny will remain attorneys of record for defendant Yellow Transportation, Inc.

WHEREFORE, YELLOW ROADWAY CORPORATION LONG-TERM DISABILITY INSURANCE PLAN, respectfully requests that this Honorable Court enter an order withdrawing the appearance of Lisa A. McGarrity and William R. Pokorny and substituting the appearances of Daniel K. Ryan and Peter E. Pederson.

Respectfully submitted:

YELLOW ROADWAY CORPORATION
LONG-TERM DISABILITY INSURANCE
PLAN

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By: s/Peter E. Pederson
One of its attorneys

CERTIFICATE OF SERVICE

I, the undersigned attorney, certify that on May 29, 2008, I e-filed this motion using the Court's CM/ECF system, which will make a copy available to counsel of record identified below.

s/Peter E. Pederson

SERVICE LIST

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